

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
Charlottesville Division**

ATLANTIC CONSTRUCTORS, INC.,

Plaintiff/Counterclaim Defendant,

v.

Case No. 3:20-cv-00018
(Consolidated with Case No. 3:19-cv-00080)

KBE BUILDING CORPORATION,

Defendant/Counterclaim Plaintiff,

FEDERAL INSURANCE COMPANY,

Defendant.

JOINT STIPULATION OF DISMISSAL

COME NOW Plaintiff/Counterclaim Defendant, Atlantic Constructors, Inc. (“Atlantic” or “Plaintiff”), Defendant/Counterclaim Plaintiff, KBE Building Corporation (“KBE”), and Defendant Federal Insurance Company (“Federal”) (collectively, the “Parties”), by and through undersigned counsel, and jointly stipulate as follows:

1. On February 23, 2022, the Parties participated in a settlement conference with Magistrate Judge Joel C. Hoppe, during which conference a settlement was reached. (*See* Dkt. No. 41.)
2. Atlantic and KBE exchanged a fully executed settlement agreement on February 28, 2022 (the “Settlement Agreement”).
3. Atlantic fulfilled its obligations under Paragraph 2 of the Settlement Agreement on February 28, 2022.
4. KBE fulfilled its obligations under Paragraph 1 of the Settlement Agreement on March 3, 2022.

5. Pursuant to Paragraph 3 of the Settlement Agreement, having fulfilled the obligations set forth in Paragraphs 1 and 2 of the Settlement Agreement, Atlantic and KBE agree to dismiss their respective claims with prejudice and with each party bearing its own attorneys' fees and costs.

WHEREFORE, pursuant to Federal Rule of Civil Procedure 41(a)(2), the Parties respectfully request that this Court enter an order dismissing Plaintiff's claims against Defendants and dismissing KBE's Counterclaim against Atlantic, with prejudice and with each party bearing its own attorneys' fees and costs.

Dated: March 3, 2022

Respectfully submitted,

/s/ Patricia Bugg Turner
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*Counsel for Federal Insurance Company and
KBE Building Corporation*

CERTIFICATE OF SERVICE

I hereby certify that on March 3, 2022, a copy of the foregoing was served upon all counsel of record via the Court's CM/ECF system.

Date: March 3, 2022

/s/ Patricia Bugg Turner